

AMENDED IN ASSEMBLY MAY 3, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 1770

Introduced by Assembly Member Galgiani

February 9, 2010

~~An act to add Section 103626.5 to the Health and Safety Code, relating to vital records. An act to add Section 103628.6 to the Health and Safety Code, and to add Section 18309.8 to the Welfare and Institutions Code, relating to vital records.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1770, as amended, Galgiani. Vital records: fees: Stanislaus County.

Existing law requires the collection of fees for issuing marriage licenses and for providing certified copies of vital records, including marriage certificates, birth certificates, fetal death records, and death records. Existing law provides for the establishment of county domestic violence program special funds for the purpose of funding local domestic violence programs. Certain fees payable at the time a marriage license or a certified copy of any of the above vital records is issued may be collected by the county clerks for deposit into these funds.

Additionally, existing law authorizes certain counties, upon making certain findings and declarations, to authorize an increase in fees for marriage licenses and confidential marriage licenses and for certified copies of certain vital records, as specified. Existing law requires the revenue from the fee increase to be allocated for purposes relating to domestic violence prevention, intervention, and prosecution.

This bill would, ~~in addition~~ until January 1, 2016, authorize the Stanislaus County Board of Supervisors, upon making findings and

declarations regarding the need for governmental oversight and coordination of the multiple agencies dealing with ~~matters under the jurisdiction of the Stanislaus County Family Justice Center~~ *domestic violence*, to authorize an increase in the fees for certified copies of marriage certificates, birth certificates, fetal death records, and death records up to a maximum of \$2 per record and to annually adjust that amount for inflation. ~~It would require the board of supervisors to allocate those funds for administration of the center.~~ *This bill would require the fees to be allocated by the county for purposes relating to domestic violence prevention, intervention, and prosecution.*

The bill would require the Stanislaus County Board of Supervisors to submit a report to the Assembly and Senate Committees on Judiciary by July 1, 2014, regarding the above-described fee increase, as specified.

This bill would make legislative findings and declarations as to the necessity of a special statute for the County of Stanislaus.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 *SECTION 1. Section 103628.6 is added to the Health and*
- 2 *Safety Code, to read:*
- 3 *103628.6. (a) The Stanislaus County Board of Supervisors,*
- 4 *upon making findings and declarations for the need for*
- 5 *governmental oversight and coordination of the multiple agencies*
- 6 *dealing with domestic violence, may authorize an increase in the*
- 7 *fees for certified copies of marriage certificates, birth certificates,*
- 8 *fetal death records, and death records, up to a maximum increase*
- 9 *of two dollars (\$2). The fees shall be allocated pursuant to Section*
- 10 *18309.8 of the Welfare and Institutions Code.*
- 11 *(b) Effective July 1 of each year, the Stanislaus County Board*
- 12 *of Supervisors may authorize an increase in these fees by an*
- 13 *amount equal to the increase in the Consumer Price Index for the*
- 14 *San Francisco metropolitan area for the preceding calendar year,*
- 15 *rounded to the nearest one-half dollar (\$0.50). The fees shall be*
- 16 *allocated pursuant to Section 18309.8 of the Welfare and*
- 17 *Institutions Code.*
- 18 *(c) In addition to the fees prescribed by subdivisions (a) and*
- 19 *(b), any applicant for a certified copy of a birth certificate, a fetal*

1 *death record, or death record in Stanislaus County shall pay an*
2 *additional fee to the local registrar, county recorder, or county*
3 *clerk as established by the Stanislaus County Board of Supervisors.*

4 *(d) The Stanislaus County Board of Supervisors shall submit*
5 *to the Assembly and Senate Committees on Judiciary, no later than*
6 *July 1, 2014, a report containing the following information:*

7 *(1) The annual amounts of funds received and expended from*
8 *fee increases for the purpose of governmental oversight and*
9 *coordination of domestic violence prevention, intervention, and*
10 *prosecution efforts in the county.*

11 *(2) Outcomes achieved as a result of the activities associated*
12 *with the implementation of this section.*

13 *(e) This section shall remain in effect only until January 1, 2016,*
14 *and as of that date is repealed, unless a later enacted statute, that*
15 *is enacted before January 1, 2016, deletes or extends that date.*

16 *SEC. 2. Section 18309.8 is added to the Welfare and Institutions*
17 *Code, to read:*

18 *18309.8. (a) The Stanislaus County Board of Supervisors shall*
19 *direct the local registrar, county recorder, and county clerk to*
20 *deposit fees collected pursuant to Section 103628.6 of the Health*
21 *and Safety Code into a special fund. Proceeds from the fund shall*
22 *be used for governmental oversight and coordination of domestic*
23 *violence and family violence prevention, intervention, and*
24 *prosecution efforts among the court system, the district attorney's*
25 *office, the public defender's office, law enforcement, the probation*
26 *department, mental health, substance abuse, child welfare services,*
27 *adult protective services, and community-based organizations and*
28 *other agencies working in Stanislaus County in order to increase*
29 *the effectiveness of prevention, early intervention, and prosecution*
30 *of domestic and family violence.*

31 *(b) This section shall remain in effect only until January 1, 2016,*
32 *and as of that date is repealed, unless a later enacted statute, that*
33 *is enacted before January 1, 2016, deletes or extends that date.*

34 *SEC. 3. The Legislature finds and declares that a special law*
35 *is necessary and that a general law cannot be made applicable*
36 *within the meaning of Section 16 of Article IV of the California*
37 *Constitution because of the unique circumstances in Stanislaus*
38 *County with respect to domestic violence.*

39 ~~*SECTION 1. Section 103626.5 is added to the Health and*~~
40 ~~*Safety Code, to read:*~~

1 ~~103626.5.—(a) In addition to all fees otherwise authorized by~~
2 ~~law, the Stanislaus County Board of Supervisors, upon making~~
3 ~~findings and declarations regarding the need for governmental~~
4 ~~oversight and coordination of the multiple agencies dealing with~~
5 ~~matters under the jurisdiction of the Stanislaus County Family~~
6 ~~Justice Center, may authorize an increase in the fees for certified~~
7 ~~copies of marriage certificates, birth certificates, fetal death records,~~
8 ~~and death records up to a maximum of two dollars (\$2) per record.~~

9 ~~(b) The Stanislaus County Board of Supervisors may authorize~~
10 ~~an increase in the fees authorized pursuant to subdivision (a),~~
11 ~~effective July 1 of each year, by an amount equal to the increase~~
12 ~~in the Consumer Price Index for the San Francisco metropolitan~~
13 ~~area for the preceding calendar year, rounded to the nearest one-half~~
14 ~~dollar (\$0.50).~~

15 ~~(c) The fees authorized by the board pursuant to this section~~
16 ~~shall be allocated to the Stanislaus County Family Justice Center~~
17 ~~to fund operations of the center, including, but not limited to,~~
18 ~~oversight and coordination of the multiple agencies dealing with~~
19 ~~matters under the jurisdiction of the center.~~